IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3144 OF 2006

Dr.(Mrs) Raj Kumari Shastry .. Applicant

Vesus

State of Maharashtra .. Respondent

Dr.(Mrs) Raj Kumari Shastry applicant in person

Mr.Hingorani, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 24th August 2006.

P.C.

. Heard learned Applicant appearing in person and the learned A.P.P. for respondents. Perused the application and annexures thereto.

2. Applicant invokes this Court's jurisdiction under section 482 of Cr.P.C. to quash proceedings in F.I.R. 135 of 2005 which has been registered with the Bundgarden police station.

3. Applicant's submission is that the F.I.R. has been registered because she has in her capacity as President, Human Rights Association, complained about the activities of some police officials and those working in other Government departments, to the Director General of Police. As a counter blast to this complaint, the instant F.I.R. has been registered. She submits that upon perusal of F.I.R. and the statement of the complainant so also the documents, viz., Medical Certificate from Government Hospital, Nagpur, the applicant has been enlarged on bail in the event of her arrest in this C.R. She further submits that the proceedings are a abuse of the process

of the Court inasmuch as they are aimed at maligning her because of her act of complaining about mis-deeds of some Government servants.

4. I have perused the F.I.R. and the statement of one Kishore Chotulal Rathod recorded on 19th March 2005.

5. In my view, the charge viz., that the applicant has forged the records of the Court is grave and serious. The accusation is that a letter allegedly issued by Registrar of this Court was despatched to the Executive Engineer, P.W.D. based upon which proceedings for eviction of applicant from Government premises came to be stayed. Later on, upon verification and scrutiny with the Registrar’s office, it was found that the letter was not despatched by the Office of Registrar of this Court nor does the signature thereon appear to be of any official named in the statement.

6. In such circumstances, it is not possible to accede to the request of applicant. Merely because she has produced a medical certificate and copies of the complaint made to D.G.P. does not mean that this Court should proceed to quash the criminal proceedings when the offence is fabrication and forgery of public records. These documents and materials can always be produced and relied upon by the applicant in her defence at the time of trial. Now, that the charge sheet is going to be filed, it would be for the applicant to raise appropriate contentions at the trial.

7. All contentions of both sides on merits are expressly kept open. I am of the opinion that a strong prima facie case being made out against the applicant. Hence, this is not a fit case for exercise of inherent jurisdiction of this Court. Application dismissed.

(S.C.Dharmadhikari, J)